

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Barberich *et al.*

Atty Dkt No.: 0701.113C

Serial No.: Unknown, Continuation of USSN 09/240,262

Filed: January 29, 1999

Examiner: Rotman, A.

Art Unit: 1625

Title: S-LANSOPRAZOLE COMPOSITIONS AND METHODS

Assistant Commissioner for Patents

Box Patent Application

Washington, D.C. 20231

**PRELIMINARY AMENDMENT UNDER 37 CFR 1.115**

Dear Sir:

This paper is filed contemporaneously with a filing under 37 CFR 1.53(b). Prior to examination of this continuation application, please amend the priority application as follows:

A. In the specification:

- 1.) Page 1, please delete paragraph 1 (lines 12-7 and replace with:

--

**CROSS REFERENCE TO RELATED APPLICATIONS**

This application is a continuation of co-pending United States Patent Application Serial Number 09/240,262 filed January 29, 1999 and claims priority from United States Provisional Patent Applications 60/073,141 filed January 30, 1998, and 60/107,460 filed November 5, 1998, the disclosures of which are incorporated by reference. --

B. In the claims:

- 1.) Canceled claims

Please cancel claims 1-12, without prejudice.

- 2.) New claims

Please add new claims 13-29 as shown on the following three pages, and entitled

**"CLEAN VERSION OF PENDING CLAIMS"**

**CLEAN VERSION OF PENDING CLAIMS**

13. A method of treating ulcers with lansoprazole which comprises administering to a human a therapeutically effective amount of optically pure *S*(-)-isomer of lansoprazole, or a pharmaceutically acceptable salt thereof.

14. The method of claim 13, wherein the amount of *S*(-) lansoprazole or a pharmaceutically acceptable salt thereof is greater than approximately 90% by weight of the total weight of lansoprazole.

15. The method of claim 13, wherein *S*(-) lansoprazole is administered orally in the form of a tablet or capsule.

16. The method of claim 15, wherein the amount of *S*(-) lansoprazole or a pharmaceutically acceptable salt thereof administered is from about 5 mg to about 180 mg per day.

17. A method of treating gastroesophageal reflux disease which comprises administering to a human a therapeutically effective amount of optically pure *S*(-)-isomer of lansoprazole, or a pharmaceutically acceptable salt thereof.

18. The method of claim 17, wherein the amount of *S*(-) lansoprazole or a pharmaceutically acceptable salt thereof is greater than approximately 90% by weight of the total weight of lansoprazole.

19. The method of claim 17, wherein *S*(-) lansoprazole is administered orally in the form of a tablet or capsule.

20. The method of claim 19, wherein the amount of *S*(-) lansoprazole or a pharmaceutically acceptable salt thereof administered is from about 5 mg to about 180 mg per day.

21. A method of treating a condition caused by or contributed to by gastric hypersecretion which comprises administering to a human a therapeutically effective amount of optically pure *S*(-) isomer of lansoprazole, or a pharmaceutically acceptable salt thereof.

22. The method of claim 21, wherein the amount of *S*(-) lansoprazole or a pharmaceutically acceptable salt thereof is greater than approximately 90% by weight of the total weight of lansoprazole.

23. The method of claim 21, wherein *S*(-) lansoprazole is administered orally in the form of a tablet or capsule.

24. The method of claim 23, wherein the amount of *S*(-) lansoprazole or a pharmaceutically acceptable salt thereof administered is from about 5 mg to about 180 mg per day.

25. The method according to claim 21, wherein said condition is Zollinger-Ellison Syndrome.

26. A method of treating psoriasis which comprises administering to a human a therapeutically effective amount of optically pure S(-)-isomer of lansoprazole, or a pharmaceutically acceptable salt thereof.

27. The method of claim 26, wherein the amount of S(-) lansoprazole or a pharmaceutically acceptable salt thereof is greater than approximately 90% by weight of the total weight of lansoprazole.

28. The method of claim 26, wherein S(-) lansoprazole is administered orally in the form of a tablet or capsule.

29. The method of claim 28, wherein the amount of S(-) lansoprazole or a pharmaceutically acceptable salt thereof administered is from about 5 mg to about 180 mg per day.

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**Annex to Preliminary Amendment filed May 11, 2001**

[ ] indicates deleted text

**bolding with underlining** indicates added text

A. In the specification:

1.) Page 1, first paragraph:

**CROSS REFERENCE TO RELATED APPLICATIONS**

This application **is a continuation of co-pending United States Patent Application Serial Number 09/240,262 filed January 29, 1999 and** claims [the] priority [of US provisional applications] **from United States Provisional Patent Applications** 60/073,141, filed January 30, 1998, and 60/107,460, filed November 5, 1998, the disclosures of which are incorporated by reference. --

B. In the claims:

- 1.) Claims 1-12 are canceled without prejudice.
- 2.) Claims 13-29 are added.

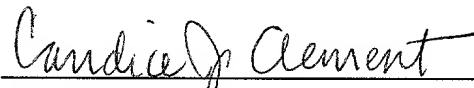
Remarks

The priority application includes claims 1-12. By amendment herein, claims 1-12 have been canceled without prejudice, and claims 13-29 have been added.

The new claims present the subject matter of original claims 1-12 without multiple dependencies; no new matter has been added.

Respectfully submitted,

Date: May 11, 2001



Candice J. Clement  
Attorney for Applicants  
Registration Number 39,946  
Heslin & Rothenberg, P.C.  
5 Columbia Circle  
Albany, New York 12203  
Telephone: (518) 452-5600  
Facsimile: (518) 452-5579